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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
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of Minorities
Forty-seventh session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by Pax Romana, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[2 August 1995]

1. Pax Romana is deeply concerned about the situation of human rights in East Timor, since neither the Commission on Human Rights nor its Sub-Commission have issued any resolution directly condemning Indonesia for the mass violations of human rights in East Timor.

2. In paragraph 4 of its resolution 1995/73 on extrajudicial, summary or arbitrary executions the Commission took good note of the specific situation with regard to this matter in East Timor (E/CN.4/1995/61 and Add.1) and supported a process to end such executions. This is important but not sufficient in view of the large scale of the violations of human rights in East Timor by the Government of Indonesia.

3. After one year of patience the situation on the mass violations of human rights has not improved at all. On the contrary, the Indonesian Government has continued its programmed policy of repression of East Timorese voices claiming their rights. Some examples may illustrate the last statement:

(a) The British Coalition for East Timor reported this year that nine young East Timorese were shot to death by members of Battalion 744 in Dili on 9 January 1995. Three days later, six civilians were executed in the village of Liquica. Although the authorities alleged that the killings had been caused by "guerrillas", this has been proven false. Even a member of the pro-Indonesian Government in East Timor admitted that at that time at least eight people had been murdered by the Indonesian death squads, so-called "ninja" gangs.

(b) A mere suspicion is not reason enough in democratic societies to dismiss people. Nevertheless, 23 civil servants were unfairly dismissed by Dili Governor Soares because they allegedly supported FRETILIN in March 1995. That allegation was not proved.

(c) The announcement by the Indonesian Government of the withdrawal of troops from East Timor is far from being put into practice. According to Indonesian Army official data, there were nine battalions in East Timor at the beginning of 1994, which means 6,000 soldiers approximately. This was after the Indonesian promise of withdrawing some battalions at the end of 1993. Only one was retired and it was almost immediately replaced by other army forces. This is not a real way to reduce the military occupation of the ex-Portuguese colony. The reality is that two new battalions of troops disembarked in Dili in March 1995 (Battalions 643 and 521). This is only another example of the gap between Indonesian international promises and real actions in East Timor.

(d) Students planning to take part in a demonstration at the United States embassy in November 1994 were arrested. They were just exercising their legitimate right to freedom of expression and freedom of assembly. They would not have to face punishment for these actions if Indonesia was fully respecting human rights provisions.

(e) Hundreds of peaceful, presumably opposition party members were arbitrarily detained during 1994 by the Indonesian security forces and at least 26 of them have been sentenced to imprisonment, after political trials held without the necessary procedural guarantees.

(f) According to several reports, the perpetrators of human rights violations enjoy virtual impunity. With very few exceptions those responsible for unlawful killings or disappearances are not prosecuted or convicted.

(g) The practices against basic civil and political human rights are even recognized by Indonesian law. Due to the official ideology "Pancasila", which binds all social organizations and which forbids political parties to

exist between polls, it is not strange that essential rights such as freedom of assembly, expression and conscience are ruled under the Anti-subversion Act.

4. This Act authorizes the detention for one year, which can be prolonged indefinitely by decision of the General Public Prosecutor, of all persons who may be "supposed" to threaten "national security". Under this wide provision, not only have East Timorese independence supporters been imprisoned, but also Muslims criticizing official ideology or workers claiming their right to strike or engage in trade union activity, or farmers opposed to the expropriation of their lands, to mention some of the persons affected.

5. A more detailed list of fundamental human rights violations in Indonesia can be found in the report of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary and arbitrary executions (E/CN.4/1994/7).

6. On the other side, the international community may also have its part of responsibility. All economic support and aid to Indonesia should be subject to real compliance with the international human rights instruments throughout the country and in East Timor.

7. For instance, section 502B of the United States Foreign Assistance Act clearly prohibits the granting of security assistance to "any country of which the Government engages in consistent patterns of gross violations of internationally recognized human rights". The United States Congress limited the granting of military training funds to the Indonesian Army in 1992 and 1993 by conditioning it on the achievement of substantial improvement in the field of human rights. However, after talks held last November, the United States Administration requested the Congress to approve $600,000 aid to Indonesia.

8. The United States Government would have to be completely sure that the situation is fair in East Timor and that no new violations are being committed before allowing United States corporations to invest in Indonesia (see the example of Exxon, which recently signed an agreement for gas exploitation with an investment of $35,000 million).

9. Portugese imports from Indonesia increased by one third in 1994 to 7 billion escudos and are likely to increase again in 1995. An economic and capitalistic investment policy without having in mind human rights is perverse.

10. In the light of the aforementioned details, we would kindly recommend the distinguished experts of the Sub-Commission to take the following measures:

(i) To put forward a proposal to the Commission on Human Rights to condemn the Government of Indonesia for its responsibility for the perpetration of the mass violation of human rights and fundamental freedoms.

(ii) To propose that economic and commercial aid granted to Indonesia be strictly conditional upon real respect for the International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights and General Assembly resolutions 1514 (XV) and 2625 (XXV).

(iii) To put forward a proposal to the Commission on Human Rights that the United Nations establish an immediate presence in East Timor in order to ensure an independent body able to monitor the situation and report reliably on human rights violations, and provide some sort of protection for the threatened population of East Timor.

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Written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[2 August 1995]

Resolution on international solidarity, adopted by the General Assembly of the World Federation of Democratic Youth in February 1995

1. Since its formation in 1945, international solidarity has been a key aspect of the work of the World Federation of Democratic Youth (WFDY). Such solidarity had been reflected in the anti-imperialist and anti-Fascist stance of WFDY, its support for the South African and Namibian struggles in Africa and the Palestinian struggle in the Middle East.

2. In the world today, there is an ever increasing need for solidarity with people who suffer political, religious, social and economic persecution and the continued violation of basic human rights. Our solidarity should be based on the desire to resolve conflicts but also to ensure that we contribute to the improvement of the socio-economic and political conditions of people everywhere.

3. Noting that local and regional conflicts continue unabated and with disastrous consequences for millions of people, WFDY has an obligation to provide solidarity to youths the world over.

Thus, the Assembly resolves the following:

AFRICA

Western Sahara

Recognizing the efforts for peace and the right to self-determination of the people of this region, WFDY calls for the immediate implementation of all relevant United Nations resolutions, especially the proposal for a referendum to determine the future of Western Sahara.

Rwanda

Condemning the unprecedented slaughter of hundreds of thousands and the ensuing spread of famine and disease, we call on all member organizations and regions to contribute to the relief efforts. A relief programme will be coordinated by the Africa region of WFDY. We note with deep suspicion and displeasure the involvement of the French Government in the affairs of Rwanda.

Sudan

Recognizing the right of people to choose their own Government, WFDY condemns the military take-over and consequent fundamentalism, terrorism and carnage in the Sudan and calls for an immediate end to the civil war being waged there. WFDY also calls upon the international community to exert pressure on the military regime to respect and uphold the human rights of the Sudanese people as enshrined in the Charter of the United Nations.

ASIA/PACIFIC

East Timor

WFDY recognizes the right to self-determination of the East Timorese people and condemns the illegal annexation of East Timor by Indonesia. We also call on all member organizations to actively campaign for the withdrawal of all Indonesian troops and to put an end to persecution.

Burma

WFDY condemns the military dictatorship in Burma for its violation of human rights. We call for the release of all political prisoners and an immediate cessation of the genocidal war against ethnic minorities and democratic forces.

Democratic People's Republic of Korea

WFDY welcomes the adoption of the DPRK-US framework in solving the nuclear issues and demands the United States to give up the antagonistic policy towards the Democratic People's Republic of Korea. WFDY recognizes and supports the struggle of the Korean people and youth to achieve Korean reunification by founding a democratic and confederal republic based on the principles of independence, peaceful reunification and national unity as outlined in the 10-point programme for greater unity and reunification of their fatherland.

Iran

WFDY denounces the continuing violation of political and human rights in Iran. We support the struggle of the youth and people of Iran to restore democracy in their country.

EUROPE/NORTH AMERICA

Cyprus

WFDY condemns strongly the illegal invasion of Cyprus by Turkey and calls for the implementation of all United Nations resolutions dealing with Cyprus. All member organizations of WFDY are urged to expose the human rights abuses of Turkey and to call for its immediate withdrawal from Cyprus.

The former Yugoslavia

We note with immense pain and sorrow the continued conflicts that are manifesting themselves in the former Yugoslavia. We express our deepest solidarity with those who have been at the receiving end of these atrocities.

LATIN AMERICA

Cuba

Noting the continuation and tightening of the United States blockade against Cuba and that the occupation of the Guantanamo naval base is a flagrant violation of the norms of international coexistence and the right of the Cuban people to self-determination and sovereignty, and calling for the immediate lifting of the blockade, WFDY urges all member organizations to actively campaign against this inhuman and disastrous blockade.

Panama

Noting the presence of United States troops in the Panama Canal region, WFDY calls for the unconditional withdrawal of all these troops from that country. People must have the right to determine their own future.

Colombia

WFDY calls upon the international community and specially the United Nations to take immediate actions in condemning the Colombian Government and those responsible for the genocide against people, left and democratic forces in Colombia for political reasons.

THE MIDDLE EAST

Palestine

WFDY has always recognized the right to Palestinian statehood and applauds the efforts of the Palestinian people in asserting their right to self-determination. WFDY calls on all its member organizations and regions to assist the Palestinians in their quest to create the necessary infrastructure, authorities and institutions that will govern Palestine. In this regard, WFDY pledges to raise the material and financial resources to build a school or youth centre as a further contribution to the struggle of the Palestinian people.

Iraq

WFDY believes that the economic and military blockade against Iraq is having a devastating effect on the Iraqi people. We feel that the blockade should be lifted with immediate effect to alleviate the plight of those who are suffering. We also condemn in the strongest way possible the Iraqi Government for the gross violation of basic human rights, causing immense misery to the Iraqi people.

Lebanon

WFDY condemns the Israeli violation of human rights in southern Lebanon and demands the immediate release of all Lebanese prisoners detained by the Israelis. WFDY expresses its solidarity with the youth and people of Lebanon in their aspiration to see the complete withdrawal of Israel from South Lebanon.

Syria

WFDY condemns the Israeli occupation of the Golan Heights. WFDY expresses its solidarity with the youth and people of Syria in their aspiration to see the complete withdrawal of Israel from the Golan Heights.

Algeria

Condemning the increase in terrorism under the guise of religious fundamentalism in Algeria, WFDY calls for an end to all violence and for the respect of the basic human rights of the Algerian people. We believe that the democratic and political wishes of the people should be respected.

The Kurdish people

The Kurds, a people scattered in Turkey, Iraq and Iran have been struggling to gain their national and cultural rights. They face immense hardship and persecution and WFDY calls on the Turkish, Iraqi and Iranian Governments to stop their bloody repression of the Kurdish people.

WFDY also resolves to engage all other international youth and student organizations in an effort to coordinate and consolidate our solidarity in the above-mentioned situations.

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International Association of Educators for World Peace, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[2 August 1995]

1. In this written statement the International Association of Educators for World Peace (IAEWP) would like to address the situation in Tibet, where gross and systematic violations of human rights and fundamental freedoms have been taking place for the past four decades. The predicament of Tibet has reached a point where time is now running out for the survival of the national identity of the 6 million Tibetan people.

2. Our organization is of the opinion that the human rights situation in Tibet will not improve unless and until the international community shows the political will and courage to deal with the People's Republic of China.

The international community must have this will in order to stop the violations before it is too late. International bodies like the United Nations, including the Sub-Commission on Prevention of Discrimination and Protection of Minorities must realize that the Tibetan question is a situation of a country that has been occupied and colonized by China for the past 45 years. Unless this question is addressed the ongoing genocide in Tibet will continue, with the Tibetan identity slowly disappearing from the Tibetan plateau.

3. If the Tibetan people have been denied their inalienable right to self-determination and fundamental freedoms, it is because the Chinese authorities claim to have "liberated" Tibet and made the Tibetans "masters". If Tibetans have been denied the regaining of their independence, it is because of the military invasion of their country in 1949 which was ignored by the international community. What the Tibetan people today resent is the colonial rule of their country by the Chinese Government, which claims "earthshaking progress" there. Today the Tibetan people have not only lost their country and seen the destruction of their religious tradition, but they have also experienced the environmental degradation of their land. If the number of political prisoners are increasing, so is the number of forced abortions and sterilizations of Tibetan women. And now, in the name of "development" the Tibetan plateau is being occupied by millions of Chinese settlers who are increasing their control on the economic and social lives of the Tibetan people.

4. If we were to look back into the accounts of extrajudicial killings, for example, in north-eastern Tibet in the late 1950s and 1960s, some official Chinese documents give a vivid picture of the unfortunate events. According to one such document, 1/ in 1958 the Chinese forces used heavy artillery and machine-guns, backed by fighter planes, to wreak havoc on Labrang and Choney regions for 8 months: 996 attacks were made between mid-March and mid-November 1958. Study of this document reveals that in the 1950s and the 1960s the Chinese authorities tortured and killed at least 468,700 Tibetans in Amdo province alone. A current popular saying has it that in those days Tibetans died from artillery and machine-guns and now, in the 1980s and 1990s, the next generation of Tibetans are dying from scalpels on operating tables (a reference to the policy of forced abortions).

5. On 19 June 1995, the Foreign Affa'rs Committee of the German Parliament held an all-party hearing on Tibet to study the overall situation in the country. Addressing the hearing, Tibet's undisputed leader, the Dalai Lama said: "Violations of human rights in Tibet have a distinct character. Such abuses are aimed at Tibetans as a people asserting their own identity and their wish to preserve it. Thus, human rights violations in Tibet are often the result of institutionalized racial and cultural discrimination. If the human rights situation in Tibet is to be improved, the issue of Tibet should be addressed on its own merits. It should be seen as distinct from the overall situation in China. Undoubtedly, the Chinese in China suffer from human rights abuses, but these abuses are of an entirely different nature."

6. China is invading Tibet - again. Four decades after the People's Liberation Army seized the kingdom and crushed an uprising by the Dalai Lama's followers, Beijing has found a more effective tool of conquest: money.

In 1992, the Government lifted controls on Chinese migration to Tibet, then made it worthwhile by offering jobs that paid two or three times the rate of the same work in China's interior. Last year alone, Beijing invested some $270 million in 62 projects - including the plaza near the Potala and a solar-powered radio and television station that will broadcast Communist Party propaganda in Tibetan. Thanks to such inducements, Lhasa's population is now at least 50 per cent non-Tibetan, according to western analysts. 2/

7. In May 1995, Amnesty International released another detailed report, entitled "Persistent human rights violations in Tibet", saying that repression of political dissent has increased in recent years in Tibet. The report, which identified 628 Tibetan political detainees as held in Tibet in December 1994, said that Tibetans "involved in activities in support of Tibetan independence" were considered to be "splittists" by the Chinese Government and consequently subjected to "arbitrary arrests and detention".

8. For the first time, this Amnesty International report shows that juveniles have been detained and imprisoned for peacefully taking part in demonstrations in Tibet - some of them were only 12 years old. The report describes in shocking detail the cases of 45 Tibetan juvenile political prisoners who were detained by the Chinese authorities. One of these children, Sherab Ngawang, a child-nun, died in April 1995, two months after her release. She was sentenced to three years' imprisonment for taking part in a 1992 demonstration calling for Tibetan independence. She was only 12 years old at the time of her arrest. By these violations, the Chinese Government has routinely ignored the safeguards provided in Chinese law, and of course, international human rights standards (for example the Convention against Torture and Convention on the Rights of the Child, which China has ratified) to protect minors. In the so-called "Tibet Autonomous Region", juveniles constituted 60 per cent of the arrests in 1994, according to Tudeng Caiwang, the region's acting chief procurator. 3/

9. For the past more than four decades, the Tibetan people have been deprived of their rights to peaceful assembly, freedom of expression and freedom of association, which form the most basic conditions for the enjoyment of human rights and fundamental freedoms in any society. Furthermore, the protection and promotion of human rights in Tibet was neglected owing to the international community's lack of will to scrutinize China over its repeated failure to comply with its own Constitution and more than 10 United Nations conventions which China had ratified. The Chinese Government's total disregard of an internationally accepted standard of the rule of law gives the current regime in Tibet a free hand to deny human rights and fundamental freedoms to the Tibetan people.

10. According to the Chinese authorities, there are no political prisoners in Tibet. However, they charge Tibetans who advocate or initiate activities for the realization of Tibet's independence as "criminals" who are "counter-revolutionary" or "splittist" or "separatist" or who have committed acts of "espionage" or "stealing State secrets" or "incitement of reactionary propaganda". These Chinese laws are being used systematically to deprive the Tibetans of their political rights, resulting in the arrests of hundreds of

Tibetan human rights activists. Unless the Chinese authorities eliminate these laws, Tibetans will face routine detention for speaking out against Chinese rule.

11. In recent years, the Chinese authorities have been making statements that activities for Tibetan independence were on the rise "from cities to the countryside". According to an official Chinese report delivered by justice officials in May 1994 on their treatment of "counter-revolutionary" cases in the so-called "TAR", it was stressed that such activities had been on the rise in recent years: "We cracked down hard on the sabotage activities of separatists in accordance with law. Cases involving counter-revolutionary propaganda and incitement handled by the region's courts have been on the rise in recent years ... [A] handful of separatists who were swollen with counter-revolutionary arrogance carried out activities aimed at splitting the motherland and gradually spread their counter-revolutionary from the cities to the countryside." 4/

12. The Chinese officials were later quoted as saying that 765 cases of "splittism" and other serious crimes were "handled" in the TAR in 1994. In this report, the Tibet Daily, the official newspaper of the TAR government, made no distinction between the two categories and gave no numeral breakdown. "All prosecutors in the region ... fully recognize that the legal assault on the destructive activities of the Dalai Lama clique and splittist factors is a priority task and a sacred duty bestowed on them by law", the official newspaper said. 5/

13. In another sign of increased political repression in Tibet, Tudeng Caiwang, the acting chief procurator in the so-called "TAR" confirmed that the Chinese authorities arrested 164 Tibetans (87 per cent of them were monks and nuns) for "counter-revolutionary" activities, almost double the 85 detained in 1993. Tudeng Caiwang said that "the struggle against splittism is still serious" reasoning that "cases of counter-revolutionary are still increasing". 6/

14. The International Association of Educators for World Peace supports calls for the realization of democracy in China. We also firmly support the Dalai Lama's recent message of 4 June 1995 to the Chinese democracy movement in which he said: "I believe strongly that the international community has an obligation to morally and politically support the Chinese democracy movement. It has been wise not to isolate China but instead to make efforts to bring her into the mainstream of the world economy. But economic integration alone is not sufficient. China needs human rights, democracy and the rule of law. These values are the foundation of a free, dynamic, stable and peaceful society."

15. In conclusion, we call upon the Chinese Government to take measures to immediately stop all violations of human rights and fundamental freedoms of the Tibetan people. The Chinese leadership should begin negotiations with the Tibetan leadership to reach an amicable solution to the Tibetan question, without preconditions. This will be the best way to end the human rights abuses of the Tibetan people.

Notes

1/ Strategy of the 11th Infantry Division of the People's Liberation Army, p. 227.

2/ "Chinese keep coming", Newsweek, 3 April 1993, p. 18.

3/ "China arrests many more Tibet separatists in 1994", Reuter, 22 June 1995.

4/ Report by the president of the Tibet Autonomous Region High People's Court on High People's Court activities since January 1993, issued in May 1994. The report was originally published in Tibet Daily on 12 June 1994.

5/ Tibet Daily, 24 December 1994.

6/ "China arrests many more Tibet separatists in 1994", Reuter, 22 June 1995.

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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Written statement submitted by Habitat International Coalition, a non-governmental organization in consultative status (Category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[3 August 1995]

1. The Palestinian Arabs in Israel number 850,000 and form a substantial minority, accounting for 18 per cent of all Israeli citizens. Yet, Israel takes no account of them when it defines the country as a Jewish State. The marginalization of the Palestinian minority is the result of a system which is geared, exclusively, to meeting the needs of the Jewish majority.

2. After the events of 1948, of the 500 Arab localities that were in existence only 100 remained. The 75,000 Palestinians who were forcibly evicted from villages and towns, but who remained within the State of Israel, were denied the right to return and were dispossessed of their land by the Absentee Property Owners' Law 1950. Under this law, Palestinians lost over 40 per cent of their land assets. Seizures also included over 17,500 acres of Waqf property donated by the faithful for the benefit of the Muslim community.

3. By 1953, 93 per cent of land was concentrated in state hands and is the subject of the Israeli Lands' Basic Law which prohibits the transfer of such land, by sale or other means, to individuals and therefore to its rightful owners. Additional land expropriations and forced evictions of Arabs continue to the present day. They are motivated by the policy of Judaization of the areas in which the Arab population remains in the majority. For example, through the manipulation of local authority boundaries, Misgav Regional Council was created as a community base for the small Jewish hilltop settlements in the Galilee. It claims over 180,000 acres for a population of 4,000, whilst the 22 Arab councils, to whom much of this land previously belonged, have just 17,500 acres for a combined population of 120,000.

4. A large proportion of former Arab land is now owned by national institutions such as the Jewish National Fund (JNF) and the Jewish Agency (JA). These institutions have almost identical constitutions: the Memorandum of Association of the JNF states as its principal object, "the settlement of Jews", which is construed as meaning that land belonging to the JNF must not be leased to Arabs. The status of these institutions as private entities allows them to practise discrimination with impunity, as demonstrated by the action of the Jewish Agency, which recently prevented an Arab couple from purchasing a house constructed on state land and financed from public taxation.

5. Among the Israeli plans that are in line with this policy is the "Trans-Israel" Route No. 6 which will bring about the dispossession of Arab citizens in the Galilee and the Triangle of thousands of dunams of land and the wiping out of several unrecognized Arab villages. Also, a new plan, known as the Master Plan for the Development of the North, will soon be approved by the Israeli Ministry of the Interior and other official planning circles. This plan shows clearly the continued discriminatory policy towards the Arabs and it lines up with the long-declared policy of the Judaization of the Galilee. The plan states that its aim is to create a demographic balance and to block territorial continuity with the Arab-populated areas. For example, it was explained in the plan that the Arab share of reserve land in the Galilee is barely 5 per cent, while the remaining 95 per cent is designated to the Jews. Official figures show that Arabs in the Galilee make up 50 per cent of the total population in this area.

6. The right to adequate housing is most blatantly challenged with respect to the 60,000 Arab Palestinian citizens who inhabit the so-called unrecognized villages. These villages do not appear on any map, even though many have been in existence since before the formation of the Israeli State, or have been established by the internally displaced persons of 1948. Their unrecognized status results in the denial of basic services. A sample of 30 such villages, having a total population of 4,000, showed that none were connected to sewage systems nor did they have medical clinics, 4 had schools, 2 had transport to schools, 2 had electricity and 16 were connected to water. Recognition of villages is at ministerial discretion and is often withheld from Arab villages on the grounds of size. Yet, of 85 settlements of less than 100 inhabitants that are recognized and have access to services, 83 are Jewish. Due to popular pressure and lobbying by the Arabs, the Israeli Government granted official recognition to four Arab villages in the northern district. However, almost nothing on the ground has changed, in terms of basic services: running

water, roads, medical clinics, schools and other infrastructure. The official recognition is viewed as a slight change in Israeli policy, but it constitutes a solution for only 2 per cent of the unrecognized Arab villages where 60,000 people live. The four Arab villages which were granted recognition comprise 1,500 people only.

7. In 1986, an interministerial commission was established to investigate, "illegal construction in the Arab sector". In consequence, the Markovitch report was produced, which classified certain villages and hamlets as "grey areas", meaning that they should be demolished after a grace period of two to five years. During this time no repairs were to be permitted and any house deemed unsafe would be immediately destroyed. In all, 13,437 houses were issued with demolition orders. Not all the orders have been carried out, but they are still in existence and contribute to the creation of insecurity for the residents.

8. Government policy in the Negev is indefensible; 42,000 Bedouin live in settlements, deprived of basic services. This is to encourage the resettlement of the 100,000-strong community into seven urban areas, while the Jewish inhabitants number 380,000 and live in 280 settlements, thereby freeing Bedouin lands for Jewish development. In the planned urban centres no effort was made to accommodate the agricultural lifestyles of the Bedouin nor to create any alternative employment. Furthermore, following the Markovitch report, in 1988-1989, 451 demolitions were carried out by the authorities and by the owners themselves complying with court orders. In line with this continued policy, in July 1995 the Israeli authorities presented 200 litigations to the court against members of the Al-Hawashleh tribe who live near the Jewish township of Dimona in the Negev, demanding their displacement on the pretext that they live on state land. The tribe's members have been prevented from working their lands, thus endangering their only source of subsistence agriculture and livestock raising. It is worth indicating that the 2,500-strong Al-Hawashleh tribe have lived in the place since before the establishment of the State of Israel.

9. The poor housing conditions and substantial overcrowding that exist in the Arab sector, are attributable to a number of factors. Firstly, land confiscations have reduced the average per capita ownership of land by Arabs from 4.75 acres in 1945 to 0.85 acres in 1950 to under 0.25 acres today. Secondly, since 1948 the Arab population has increased fivefold. When taken into consideration with the young age of the Arab population, this has produced a high degree of new household formation. Thus, the average number of persons per household in the Arab sector is 5.47 per cent, as compared to 3.41 per cent in the Jewish sector.

Housing density and population group 1992 (persons per room)				
	(-1.00)	(1-1.99)	(2-2.99)	(3.00+)
Arabs	12.1	47.3	28.0	12.1
Jews	40.6	51.0	7.3	1.1

10. In spite of this, there is limited public sector involvement in the provision of housing for the Arab minority. In 1988, the Arab sector benefited from only 0.8 per cent of all housing projects in the country. In 1990, following Jewish immigration, there were six times as many housing projects, but of the new housing in cities not one project was for an Arab locality.

11. In the mixed cities, the inadequacy of housing and living conditions is a glaring fact of daily life. In Haifa, for example, in the past two years the Israeli authorities claimed that 200 inhabited Arab houses in Wadi Al-Nisnas neighbourhood were not suitable for habitation. The authorities have thus far offered the inhabitants neither alternative solutions nor the right to repair their own houses. The 1,000 inhabitants live with the daily fear of death from house collapse and the threat of demolition of their houses. The aim of the authorities is clearly to force the inhabitants to leave their houses and to change the image of the neighbourhood into an area inhabited by Jewish citizens instead of Arabs. In the mixed city of Jaffa the situation is even worse. In addition to a ban on renovation of homes and the threat of demolitions, the authorities do not supply essential civic services to the Arab residents. One indication of this neglect is the sight of stagnant sewage water that can be seen covering the backyards of the houses inhabited by Arabs.

12. The housing market offers no visible relief for Arabs who are landless. Demand from new Jewish immigrants, whose financial position is enhanced by state aid, has significantly raised the price of housing. Given that 40 per cent of Arab families live below the poverty line (although they account for 10 per cent of all families in the State), homes are out of the reach of many. Furthermore, the State officially advocates private discrimination in the market by supporting Jewish home owners who give preference to new immigrants when selling or leasing their property.

Conclusion

13. The presentation of these facts concerning land and housing conditions demonstrates that the right to adequate housing is denied to the Palestinian minority in Israel. It is clear that important principles such as non-discrimination, equality in land relations and the protection of minorities, are seriously violated. We believe that the continuance of land confiscation, denial of recognition of Arab villages and the eviction of Arab residents by various means are gross violations of economic, social and cultural rights.

14. The practices of the Israeli Government highlighted in this statement are inconsistent with the following international human rights instruments that Israel is a State party to: The International Covenant on Economic, Social and Cultural Rights (art. 11 (1)); the Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (iii)); the Convention on the Elimination of All Forms of Discrimination against Women (art. 14.2 (h)) and the Convention on the Rights of the Child (art. 27.3).

15. Habitat International Coalition and the Arab Coordinating Committee on Housing Rights in Israel (ACCHRI) urge the Sub-Commission to take action by demanding that Israel:

1. Put an end to the discriminatory treatment of Israeli Arab citizens in matters relating to housing and living conditions.

2. Stop the arbitrary eviction of Israeli Arab citizens, the demolition of their houses and the confiscation of their lands and stop, in this respect, the harassing and destructive practices of the paramilitary group, the Green Patrol.

3. Provide all essential services to the Israeli Arab citizens in the unrecognized villages (and the four recognized villages), such as water, electricity, roads, education and basic health care.

4. Stop preventing Israeli Arab citizens living in the unrecognized villages from building new houses and improving them according to acceptable housing standards.

5. Recognize the Arab Bedouins' existing villages and their land rights, including water rights and promote the development of both traditional and modern agriculture in the region of the Negev.

6. Recognize alternate master plans prepared by the local Arab associations of the unrecognized villages throughout Israel.

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